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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF DENTISTRY

In the Matter of the Suspension :
or Revocation of the License of : Administrative Action

HARVEY NATHAN LURIE, D.M.D. : ORDER

To Practice Dentistry in the :
State of New Jersey :

This matter was opened to the State Board of Dentistry ("Board") on the application of Margaret P. Miller, Esq., counsel for Harvey Nathan Lurie, D.M.D., to amend the Interim Consent Order entered on September 13, 1989 based on the fact that Respondent has been enrolled in the Pretrial Intervention Program (PTI) of Bergen County as a result of a criminal complaint arising out of some of the allegations raised in the administrative complaint filed in this matter and it further being represented by counsel for Respondent that Dr. Lurie is subjected to urine monitoring two times a week in the PTI Program and that an investigator with the PTI Program collects a random urine sample from respondent in full view of the investigator who

then transports it to the Bergen Pines County Hospital Toxicology Laboratory and that the initial drug screen utilizes the EMIT technique and all confirming test and/or secondary test will be performed by gas chromatography/mass spectrometry. The testing procedure will include a forensic chain of custody protocol to ensure sample integrity and to provide documentation to withstand a legal challenge. All positive test results shall be provided directly to the Impaired Dentist Program and any positive result will be reported immediately by the Impaired Dentist Program to William Gutman, Executive Director of the Board of Dentistry, or his designee, in the event he is available.

IT IS THEREFORE on this 13th day of June, 1990

ORDERED that while Respondent is participating in the PTI Program and submitting to urine monitoring twice a week the Consent Order entered into on September 13, 1989 shall be amended as follows:

1. the Impaired Dentist Program will accept the results of Dr. Lurie's urine monitoring by the PTI Program;
2. All positive results will be provided by the PTI Program directly to the Impaired Dentist Program, Attention Dr. Frederick Rotgers;
3. Respondent shall submit by the third day of each month to the Impaired Dentist Program the dates that he submitted to urine monitoring during the preceding month.
4. All other provisions of the Interim Order entered on September 13, 1989 shall be continued.

5. Respondent shall continue to apply to Dr. McCrady or Dr. Rotgers for consent to waive a day's test in accordance with the Interim Consent Order.

6. Respondent shall advise Dr. McCrady or Dr. Rotgers of any failure to submit or provide a urine sample to the P.T.I. Program within 24 hours of such failure.

7. Immediately upon Dr. Lurie's termination from the urine monitoring program of P.T.I., all of the provisions of the September 13, 1989 Interim Consent Order shall be reinstated without further application to this Board.



SAMUEL E. FURMAN, D.D.S.
PRESIDENT
STATE BOARD OF DENTISTRY